

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

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EL PASO District

In the City of El Paso, El Paso County, on I-10, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 269, at Page 1595, Deed Records of El Paso County, Texas, including that certain real property described in the attached Exhibit A (the tract).

The El Paso Mexican American Cultural Institute, a domestic nonprofit corporation, has requested to lease the tract for the purpose of providing a public community center.

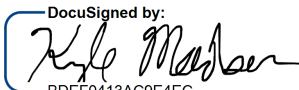
Transportation Code, Chapter 202, Subchapter C, authorizes the Texas Department of Transportation (the department) to lease highway right of way.

The Texas Transportation Commission (the commission) finds that the property to be leased will not be needed for highway purposes during the period of the lease, being an initial duration of twenty-five years with three options to renew, if acceptable to both parties, for additional durations of ten years each, all durations subject to cancellation by the department after five years of the initial duration upon at least twenty-four months advance notice, and that the use of the tract by the El Paso Mexican American Cultural Institute will be consistent with the safety, maintenance, operation, and beautification of the state highway system and not inconsistent with the applicable highway use. The commission also finds that the lease is in the public interest for social mitigation purposes and, as such, will be economically beneficial to the department, and that, in accordance with Transportation Code §202.052 and Title 43, Texas Administrative Code §21.603(c), the requirement to charge fair market value for the lease may be waived.

IT IS THEREFORE ORDERED by the commission that the staff of the department is authorized and directed to enter into negotiations and, upon approval by the Federal Highway Administration, execute a lease agreement for all or a portion of the tract with the El Paso Mexican American Cultural Institute.

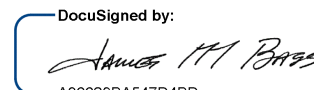
IT IS ALSO ORDERED by the commission that the fair market value requirement may be waived for the duration or a portion of the duration of the lease of all or a portion of the tract for social mitigation purposes to the El Paso Mexican American Cultural Institute.

Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC...

Director, Right of Way Division

Recommended by:

DocuSigned by:

A36629BA547D4BD...

Executive Director

115893 NOV 12 2020

Minute
Number

Date
Passed

Exhibit A

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The Premises

The following real property situated in El Paso, El Paso County, Texas:

(a) Existing building known as Lincoln Center, located at 4001 Durazno Avenue in El Paso, Texas (the "Building"); and

(b) Surface parking lot adjacent to the Building (the "Parking Lot") (the Building and Parking Lot together constitute the "Premises"). The Parking Lot does not include any vertical improvements constructed by the Texas Department of Transportation (the "Department").

The Premises does not include the air space beginning at the point which is fifty feet (50') above the graded surface of the Premises and extending upward (the "Air Space"). The Air Space will remain the exclusive property of the Department, and the Department will have the right to use the Air Space in any manner including, without limitation, the construction, operation, and maintenance of highway improvements.

The location of the Premises is illustrated on Page 2 of 2 of this Exhibit A.

Exhibit A

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The Premises

